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BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of:

Abdol Rassol Arjmandfard, M.D.,

Holder of License No. 33227
for the practice of allopathic Medicine in
the State of Arizona, et al.,

Respondent.

No. MD-06-0126A

**Interim Findings of Fact, Conclusions of
Law and Order**

(Summary Suspension)

The Arizona Medical Board having considered this matter at its public meeting April 5, 2006. After reviewing relevant information and deliberating, the Board considered proceedings for summary action against the license of Abdol Rassol Arjmandfard, M.D. appearing with legal counsel, Stephen W. Meyers. Having considered the information in the matter and being fully advised, the Board enters the following Interim Findings of Fact, Conclusion of Law and Order for Summary Suspension of License pending formal hearing or other Board action pursuant to A.R.S. 32-1451(H).

INTERIM FINDINGS OF FACT

1. The Arizona Medical Board ("Board") is the duly constituted authority for licensing and regulating the practice of allopathic medicine in the State of Arizona.
2. Abdol Rassol Arjmandfard, M.D. ("Respondent") is the holder of License No. 33227 for the practice of allopathic medicine in the State of Arizona.
3. On February 6, 2005, the Board received a statutory complaint from Banner Baywood Hospital concerning Respondent's suspension for alleged sexual harassment of female employees and inappropriate sexual contact with patient KR, a 41-year-old female patient hospitalized for diabetes. Board staff opened investigation number MD-06-0126A.

1 4. KR reported that she had received care from Respondent in three of four
2 hospitalizations between November 2005 and January 2006.

3 5. KR alleged that Respondent conducted a physical examination during the first
4 hospitalization by raising her gown all the way to her chin exposing her breasts and
5 while palpating her abdomen, he would lower the gown to expose her pelvic area. The
6 patient noted that Respondent had pulled the privacy curtain closed even though she was
7 in a private room.

8 6. KR alleged that, during the second hospitalization when she complained of back
9 pain, Respondent again raised the patient gown to expose her breasts and pelvic region;
10 whispered comments in a sexual manner in her ear during an exam and kissed her on the
11 neck and mouth; during auscultation of her lungs, performed a breast exam wherein he
12 massaged her nipples and proceeded to kiss her breasts; and, performed a pelvic exam,
13 ungloved, wherein he inserted his fingers into and massaged her vagina and then
14 proceeded to kiss her inner thigh and vagina. KR alleged that she wore underwear
15 during her hospitalizations and that during the pelvic exams, Respondent had to
16 physically push her underwear aside in order to insert his finger into her vagina.
17 Respondent then asked her to rollover and massaged her buttocks, asking her if that was
18 the area of her back pain.

19 7. KR states that she asked nursing staff to provide a chaperone for whenever
20 Respondent appeared to conduct an examination. There is no record of this request and
21 no chaperone was ever present.

22 8. During an examination during her third hospitalization, KR alleges that
23 Respondent again raised her hospital gown inappropriately, whispered comments in a
24 sexual manner, inappropriately touched her breasts and performed a pelvic exam,
25 ungloved. KR insisted on the presence of a chaperone upon discharge and one was
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1 provided.

2 9. Upon discharge, KR complained to a nurse who in turn reported the complaint to a
3 supervisor. At that time, there were several other complaints from female staff members
4 at the hospital regarding Respondent engaging in sexual harassment.

5 10. Respondent has denied all allegations of wrong-doing.

6 11. KR eventually filed a report of the conduct to the Mesa Police Department.

7 12. On February 17, 2006, Respondent entered into an interim consent agreement that
8 included a practice restriction and the requirement that he undergo an evaluation at the
9 Sexual Recovery Institute (SRI) at his expense.

10 13. Respondent failed to complete all portions of the evaluation at SRI.

11 14. The evaluation at SRI concluded that Respondent displayed significant deficits in
12 insight, lack of self-awareness and a tenacious defensive posture and diagnosed him with
13 paraphilia (not otherwise specified)(non-consenting adults) and with mixed personality
14 disorder (not otherwise specified)(with antisocial and narcissistic features) and
15 recommended that he not return to practice until he completes intensive in-patient for
16 offending sexual behaviors.

17 **INTERIM CONCLUSIONS OF LAW**

18 15. The Board possesses jurisdiction of the subject matter hereof and over the
19 Respondent, holder of license number 33227 for the practice of allopathic medicine in
20 the State of Arizona.

21 16. The conduct and circumstances described above constitute unprofessional conduct
22 pursuant to A.R.S. § 32-1401(27)(z) "engaging in sexual conduct with a current patient
23 or with a former patient within six months after the last medical consultation unless the
24 patient was the licensee's spouse at the time of the contact or, immediately preceding the
25 physician-patient relationship, was in a dating or engagement relationship with the
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1 licensee. For the purposes of this subdivision, "sexual conduct" includes: (i) engaging in
2 or soliciting sexual relationships, whether consensual or nonconsensual; (ii) making
3 sexual advances, requesting sexual favors or engaging in any other verbal conduct or
4 physical contact of a sexual nature; (iii) intentionally viewing a completely or partially
5 disrobed patient in the course of treatment if the viewing is not related to patient
6 diagnosis or treatment under current practice standards"

7 17. The conduct and circumstances described above constitute unprofessional conduct
8 pursuant to A.R.S. § 32-1401(27)(r) "Violating a formal order, probation, consent
9 agreement or stipulation issued or entered into by the board or its executive director
10 under the provisions of this chapter.

11 18. Based on the foregoing Interim Findings of Fact and Conclusions of Law, the
12 public health, safety or welfare imperatively requires emergency action. A.R.S. 32-
13 1451(D).

14 ORDER

15 Based on the foregoing Interim Findings of Fact and Conclusions of Law,
16 set forth above, IT IS HEREBY ORDERED THAT:

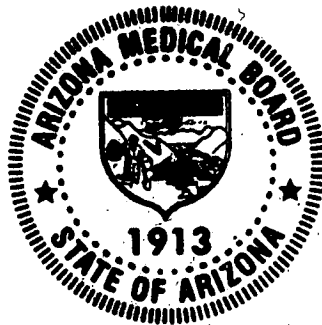
- 17 1. Respondent's license number 33227 for the practice of allopathic medicine
18 in the State of Arizona is summarily suspended pending formal hearing
19 before an Administrative Law Judge from the Office of Administrative
20 Hearings.
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- 23 2. The Interim Findings of Fact and Conclusions of Law constitute written
24 notice to Respondent of the charges of unprofessional conduct made by the
25 Board against him. The Respondent is entitled to a formal hearing to defend
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1 these charges as expeditiously as possible after the issuance of this Order.


- 2 3. The Executive Director is instructed to refer this matter to the Office of
3 Administrative Hearings for scheduling an administrative hearing to be
4 commenced as expeditiously as possible from the date of issuance of this
5 Order, unless stipulated or agreed otherwise by Respondent.
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8 DATED AND EFFECTIVE this 5th day of April, 2006.

9
10 (SEAL)



Arizona Medical Board



Timothy C. Miller, J.D.
Executive Director

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15 Original filed this 5th day of
16 April, 2006, with:

17 Arizona Medical Board
18 9545 East Doubletree Road
19 Scottsdale, AZ 85258

20 Executed Copies of the foregoing were
21 Mailed By U.S. Certified Mail
22 this 5th day of April, 2006, to:

23 Stephen W. Myers, Esq.
24 Myers & Jenkins PC
25 3003 N Central Suite 1900
26 Phoenix, AZ 85012-2910
 Attorney for Respondent

 Abdol R. Arjmandfard, MD
 Address of Record

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1 Dean E. Brekke
2 Office of Arizona Attorney General
3 1275 W. Washington CIV/LES
4 Phoenix Arizona 85007

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